

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RYAN S. MCNAMEE,

Plaintiff,

-against-

9:06-CV-1364
(LEK/GHL)

SCHOHARIE COUNTY JAIL,
LT. JAMES HAZZARD, CPL J. CRONK,
DEPUTY PAUL MARSH, JR.,
DEPUTY N. ALEXANDER, DEPUTY
HOWLAND, DEPUTY HIRST,
SCHOHARIE COUNTY MEDICAL DEPT.,
DR. WEITZ, DR. BELINGER,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on February 13, 2008, by the Honorable George H. Lowe, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 32).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Lowe's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 32) is **APPROVED** and

ADOPTED in its **ENTIRETY**; and it is further

ORDERED, that Defendants Weitz and Belanger's Motion to dismiss (Dkt. No. 16) is **GRANTED** and Plaintiff's claims against them are **DISMISSED with prejudice**; and it is further

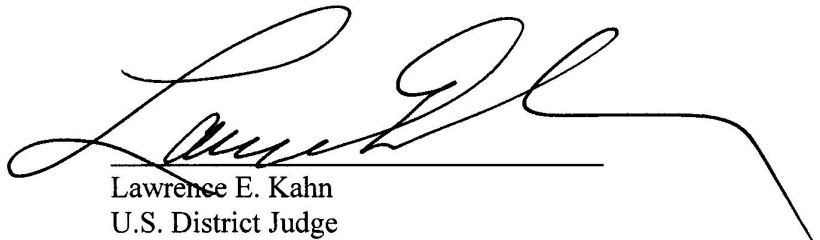
ORDERED, that Plaintiff's remaining claims are *sua sponte* **DISMISSED with prejudice** for failure to diligently litigate; and it is further

ORDERED, that Case no. 9:06-CV-1364 be **closed**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: March 10, 2008
Albany, New York



Lawrence E. Kahn
U.S. District Judge